

Exhibit I

CITY PLANNING COMMISSION

February 18, 1998 / Calendar No. 29

N 980135 ZRY

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for amendments of the Zoning Resolution of the City of New York, relating to Sections 12-10, 22-32, 22-33, 22-331, 22-332, 22-35, 32-421, 32-422, 32-62, 32-64, 32-645, 32-651, 32-652, 32-653, 32-661, 32-67, 32-68, 32-69, 36-56, 36-685, 37-011, 37-014, 37-016, 42-52, 42-53, 42-531, 42-541, 42-55, 44-45, 44-585, 52-733, 52-734, 52-81, 52-82, 72-40, 73-211, 73-241, 73-242, 73-25, 73-35, 74-47, 74-744, 81-141, 82-24, 93-34, 94-066, 97-112, 108-112, 109-24, 112-00, 112-123, 115-046, 117-423, 118-12, 121-20, 122-20, concerning signs.

This application for an amendment of the Zoning Resolution was filed by the Department of City Planning on October 14, 1997. The proposed amendment to Section 12-10 (DEFINITIONS) removes or reformulates most of the exemptions contained in the definition of "sign" and replaces them with a single exemption, changes the definition of "advertising sign" to clarify that only signs referencing commercial activity conducted on other zoning lots are to be included within the definition, and deletes the definition of "business sign" as unnecessary. Additional changes would be made to other signage regulations contained in the Zoning Resolution to respond to the definitional changes. The application was subsequently revised on December 19, 1997, to include certain related text for readoption in order to affirm its continuing effectiveness, and on January 27, 1998, to clarify that signs to be exempt from the provisions of the Resolution shall not be illuminated.

The effect of the amendment would be to clarify that non-commercial signs and signs relating to businesses conducted on a zoning lot are subject to a uniform set of regulations, while advertising signs are subject to additional regulations. The amendment would address issues raised in recent and on-going court proceedings relating to the definition of an "advertising sign." It would also respond to challenges that the current signage regulations favor commercial speech over non-commercial speech, as well as certain types of non-commercial speech over other non-commercial speech.

BACKGROUND

Signs are currently defined in the Zoning Resolution and regulated with respect to surface area, illumination, height, projection and location. The regulations differ depending on the zoning district in which the sign is located. In many instances, the regulations also differ depending upon whether the sign is considered an "advertising sign" or a "business sign."

As defined in the Zoning Resolution, a sign is any writing (including letter, word, or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol or trademark), flag (including banner or pennant), or any other figure or similar character represented on a building, or visible from outside a building if illuminated and located in a

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window, used to announce, direct attention to, or advertise. The definition states that certain signs are exempt from regulation, including governmental signs, flags and emblems for political, civic, philanthropic, educational, or religious organizations, and memorial signs and tablets.

The Zoning Resolution also defines two general classes of signs: "business signs" and "advertising signs." Business signs are defined as accessory signs that direct attention to activities or establishments located on the same zoning lot as the sign. Advertising signs are defined as signs that direct attention to activities, businesses, or products conducted or sold elsewhere. There is no separate definition for signs containing solely non-commercial speech, and all of the signage regulations contained in the Zoning Resolution for commercial and manufacturing districts apply either to business or advertising signs.

There are a number of distinctions made in the Zoning Resolution between business signs and advertising signs. Business signs are permitted in all commercial districts, subject to size, illumination and location controls, and all manufacturing districts. Advertising signs are permitted only in C6-5, C6-7, C7, C8, and all manufacturing districts. Advertising signs are prohibited within 200 feet of major arterial highways and public parks of a half-acre or more in size, and are subject to size controls beyond 200 feet from such parks and arterial highways.

In general, business signs are not. Advertising signs are also prohibited on adjacent waterways and within 100 feet of the streetline of a street adjoining a residential district. There are additional controls on illuminated advertising signs and projecting advertising signs in certain commercial districts as well.

Advertising signs are not permitted in residential districts. Other signs are generally limited to identification signs for each use or dwelling, bulletin boards for certain community facilities, and an additional amount of illuminated signage for hospitals. "For sale" and "for rent" signs no more than 12 square feet in dimension per zoning lot are also permitted in residential districts.

City of New York v. Omni Outdoor Advertising, Inc.

Since the Zoning Resolution only establishes regulations for advertising and business signs, there has been uncertainty as to how signs containing only non-commercial copy are to be treated. In a recent court decision made in response to a City enforcement proceeding, a supreme court justice concluded that such a sign would be considered an advertising sign. The justice also concluded that because of this classification, non-commercial signs were regulated more stringently than commercial business signs, which is contrary to constitutional prohibitions against

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favoring commercial speech over non-commercial speech. The justice also concluded that the exemptions contained in the definition of the term "sign" resulted in the favoring of certain sorts of non-commercial speech over other non-commercial speech, which is prohibited by the Constitution.

Proposed Amendments

The proposed amendment would eliminate all of the existing exemptions in the definition of "sign" and would replace them with a single exemption for non-illuminated signs containing solely non-commercial speech having an aggregate surface area per zoning lot of 12 square feet or less. This exemption would allow for most of the types of signs exempted under the current definition, subject to size limitations, as well as any other sort of non-commercial speech to be located on any zoning lot on a limited basis.

This amendment would eliminate the definition of "business sign" and would replace all references to "accessory business signs" throughout the Zoning Resolution with "signs," or "signs other than advertising signs". This change would ensure that signs containing solely non-commercial speech will be treated in a uniform manner as signs relating to commercial uses or activities located on the zoning lot.

The definition of advertising sign would be changed to make it clear that signs containing commercial copy will be considered to be advertising signs unless it can be demonstrated that they are accessory to a use located on the same zoning lot.

A new Section 22-331 would be added and Section 32-62 would be changed to permit flags, banners, and pennants on zoning lots predominantly occupied by certain community facility uses, other than flags, banners, or pennants meeting the definition of an advertising sign. This change would allow for additional opportunities to locate non-commercial signs, as well as signs relating to activities on the zoning lot, where significant numbers of people congregate for non-commercial purposes.

Unaffected Text

The principal purpose of the text amendment is to maintain the existing set of zoning controls governing the size, illumination and location of signs in a manner that does not give preferences to commercial speech over non-commercial speech or preferences to certain sorts of non-commercial speech over other non-commercial speech. As such, the current proposal would not affect the substantive regulations for signs, such as the provisions relating to size or illumination of signs in any zoning district. However, in order to affirm the continuing effectiveness of certain unchanged sections of the Zoning Resolution concerning

signs, Section 42-53 would be readopted in its entirety and portions of Sections 12-10 and 42-52 would also be readopted in their entirety.

ENVIRONMENTAL REVIEW

This application (N 980135 ZRY) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 98DCP022Y. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on October 20, 1997.

Two revisions were made to the proposal. On February 17, 1998, it was determined that the revisions were minor and that the Negative Declaration issued on October 20, 1997 remains valid.

PUBLIC REVIEW

On October 20, 1997, this text change application was referred to all Community Boards, Borough Presidents, and Borough Boards for

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information and review in accordance with the procedure for referring non-ULURP matters.

Community Board Review

The Commission received the following recommendations:

The Commission received recommendations from ten community boards. Nine community boards voted in favor of the proposal. They include Bronx Community Board 11, Brooklyn Community Boards 12 and 15, Manhattan Community Boards 2 and 8, Queens Community Boards 2 and 3, and Staten Island Community Boards 1 and 3. Brooklyn Community Board 13 opposed the application, citing an inadequate amount of time to review the matter.

Borough President Review

This application was considered by the Brooklyn Borough President, who issued a recommendation on December 4, 1997, approving the application with the following comments:

I am pleased that the effect of the modification would be to clarify that noncommercial signs and signs relating to businesses conducted on a zoning lot are subject to a uniform set of regulations, while 'advertising signs' are subject to additional regulations.

One issue that the proposal does not address pertains to business signs in conjunction with medical offices

in Residence Districts. I have received numerous complaints regarding oversized and/or illuminated signs for medical offices. The City Planning Commission (CPC) needs to review the existing sign text provisions in this regard to determine whether the text contains adequate restrictions.

Borough Board Review

This application was considered by the Queens Borough Board, which issued a recommendation on December 15, 1997, approving the application.

City Planning Commission Public Hearing

On January 7, 1998, (Calendar No. 1), the City Planning Commission scheduled January 21, 1998, for a public hearing on this application (N 980135 ZRY). The hearing was duly held on January 21, 1998 (Calendar No. 8).

There were no speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), pursuant to the New York

State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 97-110.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this amendment to the Zoning Resolution, as revised on December 19, 1997 and January 27, 1998, is appropriate.

The amendment will ensure that non-commercial signs are to be treated in the same way as signs containing commercial messages. By eliminating references to "business signs," the proposed text would ensure that a single set of rules for signs, other than advertising signs, applies to all zoning lots.

The Commission notes that the proposed revision to the definition of "advertising sign" would make it clear that a sign containing commercial copy will be considered to be an advertising sign unless it can be demonstrated that the sign is accessory to a use located on the same zoning lot. The Commission notes that the Department of Buildings will be guided by the definition of "accessory use" contained in the Zoning Resolution to make the

determination as to whether a sign is an advertising sign."

The Commission also notes that the proposed single exemption in the definition of "sign" will ensure that there will be no preference for one form of non-commercial speech over another. Replacing the present list of exempted signs with a single exemption for small non-illuminated signs limited to non-commercial speech adequately achieves the ends sought by the proposal.

The Commission acknowledges the recommendation of the Brooklyn Borough President to review sign regulations for medical offices located in residence districts. However, the proposed text change would not affect existing regulations for signs, including provisions relating to size, illumination, height, projection and location of signs in any zoning district. The entirety of Sections 12-10 and 42-52, including the portions thereof proposed to be amended by this text change, and Section 42-53 in its entirety, should be readopted to give the Law Department flexibility in addressing issues raised in the recent court case.

The Commission believes that certain community facility uses should be afforded the opportunity to have flags, banners, and pennants -- as long as they are not advertising signs.

Significant numbers of people congregate for non-commercial purposes at civic, philanthropic, educational or religious

institutions. Under current zoning regulations, museums, for example, often have banners announcing an exhibit, and the banners present no undue land use impacts. Those sign rules should be continued as limited by the proposed zoning text change. The Commission notes that flags, banners and pennants containing solely non-commercial speech could be located on these zoning lots.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in ~~graytone~~ is new, to be added;
 Matter in ~~strikeout~~ is old, to be deleted;
 Matter within # # is defined in Section 12-10;
 *** indicates where unchanged text appears in the Zoning Resolution
 Text not in graytone or strikeout is to be readopted

12-10 DEFINITIONS

Advertising sign - see Sign, advertising

~~Business sign - see Sign, business~~

Flashing sign - see Sign, flashing

Illuminated sign - see Sign, illuminated

Sign

A "sign" is any writing (including letter, word, or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, or trademark), flag, (including banner or pennant), or any other figure of similar character, that:

- (a) is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a #building or other structure#;
- (b) is used to announce, direct attention to, or advertise; and
- (c) is visible from outside a #building#. A #sign# shall include writing, representation, or other figures of similar character, within a #building#, only when illuminated and located in a window.

~~However, non-illuminated signs containing solely non-commercial copy with a total #surface area# not exceeding 12 square feet on any #zoning lot#, including memorial tablets or signs displayed~~

~~For the direction or convenience of the public, The following shall not be subject to the provisions of this Resolution.~~

- ~~(1) Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, or warnings at railroad crossings,~~
- ~~(2) Flags or emblems of a political, civic, philanthropic, educational or religious organization,~~
- ~~(3) Temporary signs announcing a campaign, drive, or event of the above organizations,~~
- ~~(4) Memorial signs or tablets,~~
- ~~(5) Signs denoting architect, engineer, or contractor when placed on construction sites and not exceeding 25 square feet in area,~~
- ~~(6) Signs required to be maintained by law or governmental order, rule, or regulation, with a total #surface area# not exceeding ten square feet on any #zoning lot#,~~
- ~~(7) Small signs displayed for the direction or convenience of the public, including signs that identify rest rooms, freight entrances, or the like, with a total #surface area# not exceeding five square feet on any #zoning lot#.~~

Sign, advertising

An "advertising sign" is a #sign# that directs attention to a business, profession, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the same #zoning lot# and is not #accessory# to a #use# located on the #zoning lot#.

~~Sign, business (12/15/61)~~

~~1. "business sign" is an #accessory sign# that directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered upon the same #zoning lot#.~~

Sign, flashing (12/15/61)

A "flashing sign" is any #illuminated sign#, whether stationary, revolving or rotating, that exhibits changing light or color effects, provided that revolving or rotating #signs# that exhibit no changing light or color effects other than those produced by revolution or rotation, shall be deemed #flashing signs# only if

they exhibit sudden or marked changes in such light or color effects.

#Illuminated signs# that indicate the time, temperature, weather or other similar information shall not be considered #flashing signs#, provided that:

- (a) the total #surface area# of such #sign# is not greater than 16 square feet;
- (b) the vertical dimension of any letter or number is not greater than 24 inches; and
- (c) color or intensity of light is constant except for periodic changes in the information displayed, which occur not more frequently than once every minute.

Sign, illuminated (12/15/61)

An "illuminated sign" is a #sign# designed to give forth any artificial light or reflect such light from an artificial source.

Sign, surface area of - see Surface area (of a sign)

Sign with indirect illumination (12/15/61)

A "sign with indirect illumination" is any #illuminated# non-#flashing sign# whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from such artificial source into #residences# or #streets#.

Surface area (of a sign)

The "surface area" of a #sign# shall be the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such #sign# from the background against which it is placed. In any event, the supports or uprights on which such #sign# is supported shall not be included in determining the #surface area# of a #sign#.

When two #signs# of the same shape and dimensions are mounted or displayed back to back and parallel on a single free-standing structural frame, only one of such #signs# shall be included in

computing the total #surface area# of the two #signs#:

When a double-faced #sign# projects from the wall of a #building#, and its two sides are located not more than 28 inches apart at the widest point and not more than 18 inches apart at the narrowest point, and display identical writing or other representation, the #surface area# shall include only one of the sides. Any additional side of a multi-faced #sign# shall be considered as a separate #sign# for purposes of computing the total #surface area# of the #sign#.

22-30 SIGN REGULATIONS

22-32 Permitted Non-Illuminated Accessory Signs

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, non-#illuminated accessory business signs# are permitted as set forth in this Section, subject to the provisions of Section 22-34 (Additional Regulations)..

22-33 ~~Signs on Lots Containing Certain Community Facilities~~

~~22-331~~
Permitted ~~I~~lluminated ~~A~~ccessory ~~S~~igns for ~~H~~ospitals and ~~R~~elated ~~F~~acilities

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for hospitals and related facilities #illuminated# non-#flashing accessory business signs# are permitted in all districts, subject to Section 22-34 (Additional Regulations). Any number of #illuminated# non-#flashing# identification or directional #signs# are permitted, provided that the total #surface area# in square feet of said #illuminated signs# or the combined total #surface area# in square feet of the #illuminated# and non-#illuminated# identification or directional #signs# does not exceed 25 square feet on any one #street# frontage or 15 percent of such #street# frontage in feet, whichever is less, and provided further that the Commissioner of Buildings determines that such #signs# are so

located as to cause a minimum amount of light to be projected on to abutting or adjacent #residences#. In addition to #illuminated# or non-#illuminated accessory business signs#, one illuminated non-flashing directory or bulletin board or combination thereof is permitted in lieu of a non-illuminated directory or bulletin board or combination thereof provided that the total #sign# area does not exceed 50 square feet and provided further that the Commissioner of Buildings determines that such #sign# is so located as to minimize the amount of light projected on the abutting or adjacent #residences#.

22-332

Flags, banners or pennants on lots containing certain community facilities

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, flags, banners or pennants other than those that are #advertising signs#, located on any #zoning lot# used primarily for #community facility uses# of a civic, philanthropic, educational or religious nature, are permitted without limitation.

22-35

Advertising Signs on Waterways

No moving or stationary "advertising sign" shall be displayed on a vessel plying waterways adjacent to #Residence Districts# and within view from an arterial highway. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways," or "toll crossings" and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

For the purposes of this Section "advertising sign" is a sign which directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the premises of the vessel, ~~and shall not include signs, symbols or flags identifying the vessel, its owners or operators~~ and is not #accessory# to a #use# on such vessel.

32-421

Limitation on floors occupied by non-residential uses

C1 C2 C3

In the districts indicated, in any #building#, or portion of a #building# occupied on one or more of its upper #stories# by #residential uses# listed in Use Group 1 or 2 or by #community facility uses# listed in Use Group 3 or 4, no non-#residential uses# listed in Use Group 6, 7, 8, 9 or 14 shall be located above the level of the first #story# ceiling, provided, however, that permitted #business signs, other than #advertising signs#, accessory# to such non-#residential uses# may extend to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill of the second #story#. In any other #building#, or portion thereof, not more than two #stories# may be occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14. Non-#residential uses# permitted by the applicable district regulations may occupy two #stories# in any new #development# in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts.

32-422

Location of floors occupied by non-residential uses

C4 C5 C6

In the districts indicated, in any #building#, or portion of a #building# occupied by #residential uses# listed in Use Group 1 or 2, non-#residential uses# listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 or 16 may be located only on a #story# below the lowest #story# occupied in whole or in part by such #residential uses#, except that this limitation shall not preclude the location of any such non-#residential use# below the level of the first #story# ceiling, or the extension of a permitted #business sign, other than #advertising sign#, accessory# to such non-#residential use# to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill on the second #story#.

32-60

SIGN REGULATIONS

32-62

Permitted Accessory Business Signs

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, #accessory business signs# other than #advertising signs# are permitted subject to the provisions

of the following Sections:

Section 32-64 (Surface Area and Illumination Provisions)

Section 32-65 (Permitted Projection or Height of Signs)

Section 32-67 (Special Provisions Applying along District Boundaries)

Section 32-68 (Permitted Signs on Residential Buildings) —

Section 32-69 (Additional ~~Accessary Business Sign~~
Regulations for Adult Establishments)

However, notwithstanding any provision of this Section, flags, banners or pennants other than those that are #advertising signs#, located on any #zoning lot# used primarily for #community facility uses# of a civic, philanthropic, educational or religious nature, are permitted in all districts, as indicated, without limitation.

32-64

Surface Area and Illumination Provisions

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted #signs# shall be subject to the restrictions on #surface area# and illumination as set forth in this Section, provided that the following #signs# shall be exempted from such restrictions on #surface area#:

#Illuminated# non-#flashing ~~business signs#~~ other than #advertising signs# located in a window within a #building#, with a total #surface area# not exceeding eight square feet on any #zoning lot# and limited to not more than three such #signs# in any window.

For the purpose of determining permitted #surface area# of #signs# for #zoning lots# occupied by more than one establishment, any portion of such #zoning lot# occupied by a #building# or part of a #building# accommodating one or more establishments on the ground floor may be considered as a separate #zoning lot#.

32-645

Illuminated or flashing signs in C8 Districts

modified by the provisions of Section 52-82 (Non-Conforming Business Signs) and Section 52-83 (Non-Conforming Advertising Signs).

A change in the subject matter represented on a #sign# shall not be considered a change of #use#.

52-82

Non-Conforming Business Signs ~~other than #Advertising Signs#~~

Any #non-conforming accessory-business sign#, except a #flashing sign# or a #sign# subject to the provisions of Section 52-734 (Non-conforming accessory-business signs for adult establishments), ~~and except any #advertising sign#~~ may be structurally altered, reconstructed, or replaced in the same location and position, provided that such structural alteration, reconstruction, or replacement does not result in:

- (a) the creation of a new #non-conformity# or an increase in the degree of #non-conformity# of such #sign#;
- (b) an increase in the #surface area# of such #sign#; or
- (c) an increase in the degree of illumination of such #sign#.

However, any structural alteration, reconstruction or replacement of a #non-conforming sign accessory# to a #non-conforming use# shall be subject to the provisions of Section 52-31 (General Provisions).

To the extent that such structural alteration, reconstruction, or replacement of #non-conforming accessory-business signs# is permitted under the provisions of this Section, the provisions of the following Sections are modified:

Section 52-22 (Structural Alterations)

Sections 52-51 to 52-55, inclusive, relating to Damage or Destruction.

72-40

AMORTIZATION OF CERTAIN ADULT ESTABLISHMENTS AND SIGNS FOR ADULT ESTABLISHMENTS

The Board of Standards and Appeals may permit any #non-conforming adult establishment# or any #non-conforming accessory-business sign#, ~~other than #advertising sign#~~, for an #adult establishment# to continue for a limited period of time beyond

C8

In the district indicated, #illuminated# or #flashing business signs#, ~~other than #advertising signs#, and or #advertising signs#~~ with indirect illumination, are permitted, provided that the total #surface area# of all such #signs# (in square feet) shall not exceed five times the #street# frontage of the #zoning lot# (in feet) and that the #surface area# of each #sign# shall not exceed 500 square feet.

32-651

Permitted projection in C6-5, C6-7 or C7 Districts

C6-5 C6-7 C7

In the districts indicated, except as otherwise provided in Section 32-653 (Additional regulations for projecting business signs), no permitted #sign# shall project across a #street line# more than eight feet.

32-652

Permitted projection in all other Commercial Districts

C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C8

In the districts indicated, except as otherwise provided in Section 32-653 (Additional regulations for projecting business signs), no permitted #sign# shall project across a #street line# more than 18 inches for double- or multi-faceted #signs# or 12 inches for all other #signs#.

32-653

Additional regulations for projecting business signs

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, permitted ~~#accessory business signs# other than #advertising signs#~~ may be displayed as follows:

- (a) Non-#illuminated signs# may be displayed on awnings or canopies permitted by Section 27-313(b) of the Administrative Code, with a #surface area# not exceeding 12 square feet and with the height of letters not exceeding 12 inches. ~~provided that~~ Any commercial copy on such #signs# shall be limited to identification of the name or address of the #building# or an establishment contained therein.

- (b) #Signs# may be displayed on marquees permitted by Section 27-313(b) of the Administrative Code, provided that such #signs# conform to the provisions of Section 26-182 of the Administrative Code, and provided further that no such #sign# in a district other than a C6-5, C6-7 or C-7 District shall project more than 48 inches above nor more than 12 inches below such marquee.

32-661

Advertising signs on waterways

No moving or stationary # advertising sign# shall be displayed on a vessel plying waterways adjacent to #Commercial Districts# and within view from an arterial highway. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways," or "toll crossings" and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

For the purposes of this Section #advertising sign# is a #sign# which directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the premises of the vessel, and shall not include ~~signs, symbols or flags identifying the vessel, its owner or operators~~ and is not #accessory# to a #use# on such vessel.

32-67

Special Provisions Applying along District Boundaries

C2 C3 C4 C5 C6 C7 C8

In the districts indicated, and within 100 feet of the #street line# of any #street# or portion thereof in which the boundary of an adjoining #Residence District# is located, or which adjoins a #public park# of one-half acre or more, ~~all #signs#~~ no #advertising sign# which faces at an angle of less than 165 degrees away from such #Residence District# or park boundary shall be ~~permitted and all other #signs# facing at less than such an angle limited to #accessory business signs#~~ and shall conform with all the #sign# regulations applicable in C1 Districts as set forth in Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.

32-68

Permitted Signs on Residential or Mixed Buildings

C1 C2 C3 C4 C5 C6

In the districts indicated, any #use# listed in Use Group 1 or 2 shall conform to the #sign# regulations for #Residence Districts# set forth in Sections 22-31 to 22-34, inclusive. In #residential# or #mixed buildings#, #residential sign# regulations shall apply to a #building# or part of a #building# used for #residential# purposes.

Where non-#residential uses# are permitted to occupy two floors of the #building#, all #signs accessory# to non-#residential uses# located on the second floor shall be non-#illuminated business signs#, and shall be located below the level of the finished floor of the third #story#.

32-69

~~Additional Accessory Business Sign Regulations for Adult Establishments~~

C6-4 C6-5 C6-6 C6-7 C6-8 C6-9 C7 C8

~~#Accessory business signs#~~ ~~#Signs#~~, other than ~~#advertising signs#~~, for #adult establishments# are permitted only as set forth in this Section and are limited to locations in the districts indicated.

All permitted ~~#accessory business signs#~~, other than ~~#advertising signs#~~, for #adult establishments# shall conform with all the #sign# regulations applicable in C1 Districts as set forth in this Chapter, except that the provisions of Section 32-64 (Surface Area and Illumination Provisions) shall not apply. In lieu thereof, the maximum #surface area# of all ~~#accessory business signs#~~, other than ~~#advertising signs#~~, for #adult establishments# shall not exceed, in the aggregate, three times the #street# frontage of the #zoning lot#, but in no event more than 150 square feet per establishment, of which no more than 50 square feet may be #illuminated# non-#flashing signs#.

36-56

Screening

C1 C2 C3 C4 C5 C6 C7 C8

- (d) have no #signs# hung or attached thereto other than those permitted in Sections 32-62 (Permitted ~~Accessory Business Signs~~) or 32-63 (Permitted Advertising Signs).

36-685
Screening

C1 C2 C3 C4 C5 C6 C7 C8

- (d) shall have no #signs# hung or attached thereto other than those permitted in Sections 32-62 (Permitted ~~Accessory Business~~ Signs) or 32-63 (Permitted Advertising Signs).

37-011
Applicability of Section 37-01

An application to the Department of Buildings for a permit respecting any new #development# shall include a plan and an elevation drawn to a scale of at least one sixteenth inch to a foot of the new #building# and #buildings# on #contiguous lots# or #contiguous blocks# showing ~~#accessory business signs#~~, other than ~~#advertising signs#~~, #arcades#, #street wall# articulation, curb cuts, #street# trees, sidewalk paving, central refuse storage area and such other necessary information as may be required by the Commissioner of Buildings.

37-014
Modifications to applicability of Article II, Chapter 6

In C1-8, C1-9, C2-7, C2-8, C4-6, C5-1, C5-2, C5-4, C6-3, C6-4, C6-5 and C6-8 Districts, or C1 or C2 Districts mapped within R9 or R10 Districts, the regulations of Article II, Chapter 6, applicable to #residential developments# or #developments# occupied by a #predominantly residential use# are modified by the provisions of Sections 37-015 (Retail continuity) and 37-016 (~~Accessory business signs~~ Sign regulations) and 37-017 (Street wall articulation).

37-016
~~Accessory business signs~~ Sign regulations

In addition to the applicable district regulations in C1-8, C1-9, C2-7, C2-8, C4-6 Districts and C1 or C2 Districts mapped within R9 or R10 Districts, all ~~#accessory business signs#~~, other than ~~#advertising signs#~~ and other than window #signs#, shall be

located in a horizontal band not higher than 3 feet, the base of which is located not higher than 17 feet above #curb level#. Where there is a grade change of at least 1.5 feet in 100 along the portion of the #street# upon which the #development# fronts, such signage band may be staggered along such #street#.

42-50 SIGN REGULATIONS

42-52 ~~Permitted Accessory Business Signs or Advertising Signs~~

M1 M2 M3

In all districts, as indicated, ~~#accessory business signs# or #advertising signs#~~ are permitted with no restriction on size, illumination or otherwise, except as otherwise provided in Section ~~42-53 (Additional Regulations for Advertising Signs)~~, 42-54 (Special Provisions Applying along District Boundaries) and subject to the provisions of Section 42-55 (Additional ~~Accessory Business Sign Regulations for Adult Establishments~~).

42-53 Additional Regulations for Advertising Signs

M1 M2 M3

In all districts, as indicated no #advertising sign# shall be located, nor shall an existing #advertising sign# be structurally altered, relocated, or reconstructed, within 200 feet of an arterial highway or of a #public park# with an area of one-half acre or more, if such #advertising sign# is within view of such arterial highway or #public park#. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets, as "principal routes," "parkways," or "toll crossings," and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply. Beyond 200 feet from such arterial highway or #public park#, an #advertising sign# shall be located at a distance of at least as many linear feet therefrom as there are square feet of #surface area# on the face of such #sign#. However, in all districts as indicated, the more restrictive of the following shall apply:

- (a) Any #advertising sign# erected, structurally altered,

relocated or reconstructed prior to June 1, 1968; within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, shall have legal #non-conforming use# status pursuant to Section 52-83, to the extent of its size existing on May 31, 1968.

- (b) Any #advertising sign# erected, structurally altered; relocated or reconstructed between June 1, 1968 and November 1, 1979, within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, and whose size does not exceed 1200 square feet in #surface area# on its face, 30 feet in height, and 60 feet in length, shall have legal #non-conforming use# status pursuant to Section 52-83, to the extent of its size existing on November 1, 1979. All #advertising signs# not in conformance with the standards set forth herein shall terminate.

42-531

Advertising signs on waterways

No moving or stationary #advertising sign# shall be displayed on a vessel plying waterways adjacent to #Manufacturing Districts# and within view from an arterial highway. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways," or "toll crossings" and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

For the purposes of this Section, #advertising sign# is a #sign# which directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the premises of the vessel, ~~and shall not include signs, symbols or flags identifying the vessel, its owners or operators and is not #accessory# to a #use# on such vessel.~~

42-54

Special Provisions Applying along District Boundaries

42-541

Restrictions along district boundary located in a street

M1 M2 M3

In all districts, as indicated, and within 100 feet of the #street line# of any #street# or portion thereof in which the boundary of an adjoining #Residence District# is located, or which adjoins a #public park# of one-half acre or more,

~~#advertising signs#~~ which face at an angle of less than 165 degrees away from such ~~#Residence District#~~ or park boundary shall not be permitted and all other ~~#signs#~~ facing at less than such an angle be limited to ~~#accessory business signs#~~ and shall conform with all the ~~#sign#~~ regulations applicable in C1 Districts as set forth in Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.

42-55

Additional ~~Accessory Business~~ Sign Regulations for Adult Establishments

M1 M2 M3

In all districts, as indicated, all permitted ~~#accessory business signs#~~, other than ~~#advertising signs#~~, for ~~#adult establishments#~~ shall conform with the provisions of this Chapter, except that the maximum ~~#surface area#~~ of all ~~#accessory business signs#~~, other than ~~#advertising signs#~~, for ~~#adult establishments#~~ shall not exceed, in the aggregate, three times the ~~#street#~~ frontage of the ~~#zoning lot#~~, but in no event more than 150 square feet per establishment, of which no more than 50 square feet may be ~~#illuminated#~~ and no portion thereof may be ~~#flashing#~~.

No ~~#accessory business signs#~~ for ~~#adult establishments#~~ shall be permitted on the roof of any ~~#building#~~, nor shall such ~~#signs#~~ extend above ~~#curb level#~~ at a height greater than 25 feet.

44-45

Screening

M1 M2 M3

(d) shall have no ~~#signs#~~ hung or attached thereto other than those permitted in Section 42-52 (Permitted ~~Accessory Business Signs or Advertising Signs~~).

44-585

Screening

M1 M2 M3

- (3) shall have no #signs# hung or attached thereto other than those permitted in Section 42-52 (Permitted Accessory Business Signs or Advertising Signs).

52-73 Non-Conforming Signs

52-733 Advertising signs on waterways

On all waterways adjacent to #Residence#, #Commercial# or #Manufacturing Districts# and within view from an arterial highway, a #non-conforming advertising sign# may be continued for one year after July 23, 1964 if already in operation on April 15, 1964; provided that after the expiration of this period such #non-conforming advertising sign# shall terminate.

For the purposes of this Section #advertising sign# is a #sign# which directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the premises of the vessel, and shall not include signs, symbols or flags identifying the vessel, its owners or operators and is not #accessory# to a #use# on such vessel.

52-734 Non-conforming accessory business signs for adult establishments

In all districts, a #non-conforming accessory business sign# for an #adult establishment# shall terminate within one year from October 25, 1995 or from such later date that such #sign# becomes #non-conforming#, except that such #sign# may be continued for a limited period of time by the Board of Standards and Appeals pursuant to Section 72-40 (AMORTIZATION OF CERTAIN ADULT ESTABLISHMENTS AND SIGNS FOR ADULT ESTABLISHMENTS).

52-80 REGULATIONS APPLYING TO NON-CONFORMING SIGNS

52-81 General Provisions

A #non-conforming sign# shall be subject to all the provisions of this Chapter relating to #non-conforming uses#, except as

that provided for in Section 52-734 (Non-conforming accessory business signs for adult establishments) or Section 52-77 (Termination of Adult Establishments), provided that:

73-211

Location in C2, C4, C6 or C7 Districts

- (5) that ~~#accessory business signs#~~, other than ~~#advertising signs#~~, shall be subject to the applicable district ~~#sign#~~ regulations, provided that:

73-241

In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, M1-5A or M1-5B Districts

The Board may modify the regulations relating to ~~#accessory business signs#~~ in C3 Districts to permit a maximum total ~~#surface area#~~ of 50 square feet of non-~~#illuminated#~~ or ~~#illuminated#~~ non-~~#flashing signs#~~, provided that any ~~#illuminated sign#~~ shall not be less than 150 feet from the boundary of any ~~#Residence District#~~. The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows; provision of sound-lock vestibules; specification of acoustical insulation; maximum size of establishment; kinds of amplification of musical instruments or voices; shielding of floodlights; adequate screening; curb cuts or parking.

73-242

In C3 Districts

The Board may modify the regulations relating to ~~#accessory business signs#~~ in C3 Districts to permit a maximum total ~~#surface area#~~ of 50 square feet of non-~~#illuminated#~~ or ~~#illuminated#~~ non-~~#flashing signs#~~, provided that any ~~#illuminated sign#~~ shall not be less than 150 feet from the boundary of any ~~#Residence District#~~.

73-25
Boatels

The Board may modify the regulations relating to ~~#accessory business signs#~~ in C3 Districts to permit a maximum total ~~#surface area#~~ of 50 square feet of non-~~#illuminated#~~ or ~~#illuminated# non-#flashing signs#~~ on each of not more than three ~~#street#~~ or water frontages.

73-35
Amusement Arcades

- (c) that the ~~#use#~~ is so located within the shopping center that no entrance and no ~~#accessory business sign#~~ fronts upon or faces a ~~#street#~~.

74-47
Amusement Arcades

- (c) the ~~#use#~~ is so located within the ~~#building#~~ that no entrance nor any ~~#accessory business sign#~~ of the amusement arcade fronts upon or faces a ~~#street#~~.

74-744
Modification of use regulations

- (c) Modifications of ~~#accessory business sign#~~ regulations

In C6 Districts, the City Planning Commission may modify the regulations of Section 32-65 (Permitted Projection or Height of Signs) for ~~#accessory business signs#~~, other than ~~#advertising signs#~~, on a non- ~~#residential building#~~, provided that such ~~#accessory signs#~~ will not be incompatible with the character of the surrounding area.

81-141
Special sign regulations

- (b) In a C5-3 District within the Fifth Avenue Subdistrict, the Chairperson of the City Planning Commission may, by certification, modify the requirements of Section 32-655 (Height of signs in all other Commercial Districts), to allow a single non-illuminated business sign#, other than advertising sign#, per building# to be located at a height between 25 and 50 feet above curb level# provided that the permitted sign# shall:

82-24
Supplementary Sign Regulations

No permitted business sign# shall extend above curb level# at a height greater than 20 feet or obstruct an arcade#.

93-34
Accessory Business Signs

All accessory-business signs#, other than advertising signs# and other than window signs#, shall be located in a horizontal band not higher than two feet, the base of which is located not less than 13 feet nor more than 16 feet above curb level#. Where there is a grade change of at least 1.5 feet in 100 feet along the portion of the street# upon which the development# fronts, such signage band may be staggered along such street#.

94-066
Additional sign regulations

Where illuminated signs# are permitted by the underlying district regulations, such signs# shall have only indirect illumination. Where business signs#, other than advertising signs#, are permitted by the underlying district regulations, such signs# shall not extend above the roof level of any building or other structure# in the Special District.

97-112
Sign regulations

All signs# for Use Group M manufacturing uses# within the R(M) Special Northside Mixed Use District# shall be limited to

~~#accessory business signs#~~, other than ~~#advertising signs#~~, and shall conform to regulations for C1 Districts as set forth in Sections 32-61 to 32-68 (Sign Regulations) inclusive, in this Resolution, except that no ~~#illuminated signs#~~ shall be permitted in the R(M) ~~#Special Northside Mixed Use District#~~. In addition, no ~~#sign#~~ shall extend above the floor level of the second ~~#story#~~ above ground.

108-112
Sign regulations

All ~~#signs#~~ for ~~#manufacturing#~~ or ~~#commercial uses#~~ within the ~~#Special Franklin Street Mixed Use District#~~ shall be limited to ~~#accessory business signs#~~, other than ~~#advertising signs#~~, and shall conform to regulations for C1 Districts as set forth in Section 32-61 to 32-68 (Sign Regulations), inclusive, in this Resolution, except that no ~~#illuminated signs#~~ shall be permitted in the ~~#Special Franklin Street Mixed Use District#~~. In addition, no ~~#sign#~~ shall extend above the floor level of the second ~~#story#~~ above ground.

109-24
Sign Regulations

In addition to the underlying district ~~#sign#~~ regulations, the following regulations shall apply to all ~~#signs#~~:

- (a) ~~#accessory business signs#~~ may not occupy more than 25 percent of the total area of the storefront measured from ~~#curb level#~~ to 10 feet above ~~#curb level#~~;

- (c) ~~#accessory business signs#~~ may not cover columns, cornices or sills.

112-00
GENERAL PURPOSES

- (c) to maintain and protect the environmental quality and "village" character of City Island Avenue by imposing special controls on building setbacks and ~~accessory business signs~~; and

112-123

Screening requirements for parking facilities accessory to commercial uses

- (c) shall have no #signs# hung or attached thereto other than those permitted in Section 32-62 (Permitted ~~Acessory Business~~ Signs), Section 32-63 (Permitted Advertising Signs) or Section 42-52 (Permitted ~~Acessory Business~~ Signs or Advertising Signs).

115-046

Permitted projection of signs

Except as otherwise permitted in Section 32-653 (Additional regulations for projecting ~~business~~ signs), no permitted #sign# shall project across a #street line# more than 12 inches. Double or multifaced #signs# are not permitted.

117-423

~~Acessory business~~ Sign regulations

118-12

Sign Regulations

#Signs# on #street walls# fronting on all other #streets# within the Special District shall be subject to the provisions of Section 37-016 (~~Acessory business signs~~ Sign regulations).

121-20

SIGN REGULATIONS

The following provisions apply on #wide streets# within the #Special Garment Center District#:

- (a) no ~~#accessory business sign#~~ or ~~#advertising sign#~~ shall project across the #street line# of a #wide street# more than 18 inches for double or multi-faced #signs# or 12

inches for other #signs#;

122-20
SPECIAL SIGN REGULATIONS

In order to enhance the visual quality of the Special District, the applicable #sign# regulations of the underlying districts are modified as follows:

- (a) Within the Limited Commercial Areas, only one ~~#accessory business sign#~~, other than an ~~#advertising sign#~~, with a surface area not exceeding 12 square feet shall be permitted per ~~#commercial use#~~. ~~#Accessory business~~ Such signs# shall be located in a #sign band#, on the flap of a canopy, or as allowed under Section 122-20(d). The height of an ~~#accessory business~~ Such signs# shall be not more than 24 inches and the letter sizes shall be restricted to a height of 12 inches. Except as provided in Section 122-20(d), all such signs# may not project from the vertical surface of a #building# more than 18 inches.
- (b) Within the Commercial Extension Areas, no ~~#accessory business signs#~~ and no #display windows# shall be permitted on a #building or other structure# within 50 feet of the Grand Concourse. #Commercial uses# which are located on a cross-street beyond a distance of 50 feet from the Grand Concourse #street line#, shall comply with the #sign# regulations applicable to the underlying #Commercial District#.
- (c) On Commercial Infill Sites, the maximum surface area to be occupied by an ~~#accessory business sign#~~, other than an ~~#advertising sign#~~, shall be three square feet for every five feet of store frontage or 12 square feet, whichever is greater. ~~#Accessory business~~ Such signs# shall be located in a #sign band# and/or on the flap of a canopy, or as allowed under Section 122-20(d). On portions of Commercial Infill Sites more than 50 feet from the Grand Concourse, the signage regulations of a C1 District shall apply.
- (d) Except in C1 Districts, no #sign# may be located so as to obscure any decorative lintel, cornice or other architectural detail. In the event that compliance with this requirement does not provide adequate surface area for the allowable ~~#accessory business sign#~~ as defined in Section 122-20(a), a projecting #sign# may be permitted by the Commissioner of Buildings provided that no such #sign# shall project from the vertical surface of a #building# more than 18 inches.

The above resolution (N 980135 ZRY), duly adopted by the City Planning Commission on February 18, 1998 (Calendar No. 29), is filed with the Office of the Speaker, City Council, and the Borough Presidents in accordance with the requirements of Sections 200 and 197-d of the New York City Charter.

JOSEPH B. ROSE, Chairman

VICTOR G. ALICEA, Vice-Chairman

ALBERT ABNEY, ANGELA M. BATTAGLIA, AMANDA M. BURDEN, A.I.C.P.,
IRWIN G. CANTOR, P.E., ALEXANDER GARVIN, ANTHONY I. GIACOBBE,
ESQ., WILLIAM J. GRINKER, BRENDA LEVIN, EDWARD T. ROGOWSKY,
JACOB B. WARD, ESQ., Commissioners



**COMMUNITY BOARD #11, BRONX
1741 COLDEN AVENUE
BRONX, NEW YORK 10462
(718) 892-6262 FAX (718) 892-1861**



**Dominic Castore
Chairman**

**Fernando Ferrer
Borough President**

**John A. Fratta
District Manager**

cc: Phillip
Michael
Parrino
Dolomski
Chenoweth
Kish
Weil
11/9/4

FEB 2 - 1998

COMMITTEES

Community Development &
Budget Priorities

Economic Development

Education & Culture

Health & Social Services

Highways, Traffic &
Transportation

Housing

Land Use

Parks & Playgrounds

Public Safety

Sanitation & Environmental
Protection

Youth Services Planning

Mr. Joseph B. Rose
Chairman
City Planning Commission
22 Reade Street
New York, New York 10007-1216

January 29, 1998

RE: N 980135 ZRY

Dear Mr. Rose:

At its meeting of December 18, 1998, Community Board #11 voted to approve the above zoning application to modify the definition of signs in the Zoning Resolution.

If you have any question, please feel free to contact me at the above number.

Sincerely,

John A. Fratta,
District Manager

JAF/h1

24-0-0

(718) 851-0800

FAX # (718) 851-4140

**Community Board No. 12**

5910 THIRTEENTH AVENUE, BROOKLYN, N.Y. 11219

OFFICE OF THE
CHAIRPERSONDEC 24 1997
11655HOWARD GOLDEN
Borough PresidentPRISCILLA CELANO
District ManagerALAN J. DUBROW
Chairman*cc: Korman &
Michael's
Parrus
Dobsonkin
Weil*

December 22nd, 1997

Joseph B. Rose Chairman
22 Reade Street
New York, NY 10007-1216Re: N980135 ZRY
Sign Regulations

Dear Chairman Rose:

At the November 25th meeting of Community Board 12 the Board voted unanimously to approve the Sign Text Amendment as proposed and submitted by the City Planning.

Very truly yours,

Handwritten signature of Priscilla Celano.

PRISCILLA CELANO
DISTRICT MANAGER

cc: Susan Silverman, City Planning Brooklyn

PC:lm

31-0-D

**BROOKLYN COMMUNITY BOARD 13**

2900 West 8th Street, Brooklyn, NY 11224

(718) 266-3001

FAX (718) 266-3920

HOWARD GOLDEN
Borough PresidentMARTIN LEVINE
ChairpersonCHUCK REICHENTHAL
District ManagerOFFICE OF
CITYDEC 4 1997
115/4

December 2, 1997

Mr. Joseph B. Rose, Director
Department of City Planning
22 Reade Street
New York, N.Y. 10007-1216

Re: N980135 ZRY
Sign Regulations

cc: Korby
Weil
Meyers
Dobrusk
Michaels
Parrus

Dear Mr. Rose,

As you well may be aware, Community Board #13 had sought an extension re this ULURP issue as soon as the material had been received. We were informed, prior to our Public Hearing, that the sought-for extension would not be forthcoming. Consequently, the Board listened to the speaker at its General Meeting/Open Public Hearing, and voted negatively, at that time, to N980135 ZRY. We, therefore, feel that the November 18th message from you that there would be a 16-day extension until Dec. 22nd, comes after-the-fact and that the C.B. #13 "NO" vote stands as was adopted.

Yours truly,


Martin L. Levine
Chairman

→ Ken



HOWARD GOLDEN
Borough President

JOHN E. NIKAS
Chairperson

RABBI ELI GREENWALD
First Vice-Chairperson
HAROLD MECKLER
Second Vice-Chairperson
JEREMIAH P. O'SHEA
Treasurer
MARION POPS
Secretary

PAST CHAIRPERSONS
Maurice H. Kolodin
Hilda Mirvis

EXECUTIVE COMMITTEE
Father Dominick Cutrone
Anne Dietrich
Rac Kahn
Roland Hill
I. Stephen Miller
Dr. Allan Pollock
Warren Samuels
Helen Sarubbi
Mildred Silverstein
Ronald Tawil

DISTRICT OFFICE STAFF

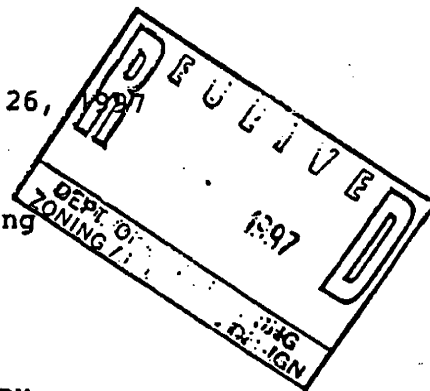
BARBARA SIMMONS
District Manager
JOYCE MONE
Assistant District Manager

The City of New York Community Board No. 15



RUDOLPH W. GIULIANI
Mayor

November 26, 1997



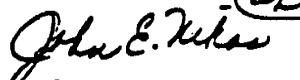
New York City Department of City Planning
Michael Weil, Director
Zoning and Urban Design
22 Reade Street
New York, New York 10007

Re: City Planning Application #N980135ZRY
Sign Regulations

Dear Mr. Weil:

On Tuesday November 25, 1997, Community Board No. 15 voted 36 in favor 0 abstention 0 opposed to support, in both instances, The City Planning Commissions consideration of an application for a zoning text change from the Department of City Planning to modify the definition of signs in the Zoning Resolution.

Sincerely,


John E. Nikas
Chairman

JEN:ar

Kingsborough Community College
2001 Oriental Boulevard
Brooklyn, NY 11235
(718) 332-3008 FAX (718) 648-7232

NYC006191

**BROOKLYN COMMUNITY BOARD 13**

2900 West 8th Street, Brooklyn, NY 11224
(718) 266-3001 FAX (718) 266-3920

HOWARD GOLDEN
Borough President

MARTIN LEVINE
Chairperson

CHUCK REICHENTHAL
District Manager

November 20, 1997

Joseph B. Rose, Chairman
22 Reade Street
New York, N.Y. 10007-1216

RE: ULURP - N 980135 ZRY

Dear Commissioner Rose:

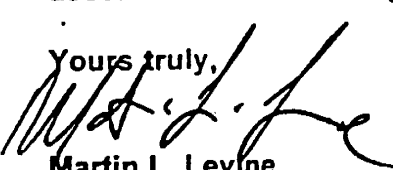
Community Board #13 discussed, and voted upon, the aforementioned ULURP Review Application at its General Board Meeting of November 19, 1997. The following was the result of this Board action:

* WHEREAS Community Board 13 finds that there was inadequate time in which to effectively study the materials involved, and the ramifications that might result, and therefore OPPOSES the passage of this ULURP.

The vote cast indicates: AGAINST PASSAGE OF ULURP N 980 135ZRY-- 35
FOR PASSAGE OF SAID ULURP -- 2
Abstentions -- 6

As has been previously stated in earlier correspondence to your office, a 30-day ULURP study is inadequate for the complete analysis of any action. The Public Hearing was held on November 19, 1997, the same day at which the vote was to be taken. In general procedure, the ULURP would have gone to Committee at which time, further discussion could have taken place. The Board vote would have taken place at the December meeting. The 60-day ULURP procedure remains the only acceptable methodology in order to serve the community and to ascertain that the issue gets adequate explanation from the involved parties.

Yours truly,


Martin L. Levine
Chairman

cc: Hon. Howard Golden, Brooklyn Borough President



CITY OF NEW YORK COMMUNITY BOARD NO. 2, MANHATTAN

3 Washington Square Village • Greenwich Village • Little Italy • Soho • Noho
New York, New York 10012-1899 • (212) 979-2272 • FAX (212) 254-5102

cc: Bar-H
Farnes
Michals
Dobonski
Weil

Alan Jay Gerson
Chair

Oscar J. Gonzalez
Vice-Chair

James M. Smith
Vice-Chair

Lora J. Tenenbaum
Secretary

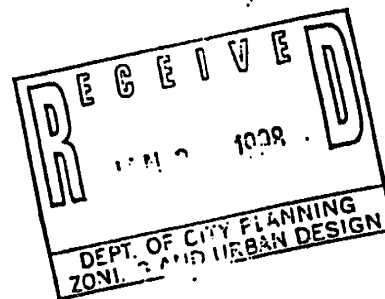
Doris B. Nash
Assistant Secretary

Carol S. Reichman
Treasurer

Arthur W. Strickler
District Manager

JAN 22 1998
January 16, 1998
11845

Joseph Rose
Chair
City Planning Commission
22 Reade Street
New York, New York 10007



Dear Chairperson Rose:

At its full Board meeting on December 18, 1997, Community Board #2-Manhattan (CB#2-Man.) adopted the following resolution:

Proposal by Department of City Planning for sign regulation changes to modify the definition of signs (N980135-ZRY-CPC).

WHEREAS, CB#2-Man. has no problem with the principal purpose of the proposed modifications, which is to govern the size, illumination and location of signs in a manner that does not give preference to commercial speech over noncommercial speech or preferences to certain sorts of noncommercial speech over other types of noncommercial speech, but

WHEREAS, new Section 22-332 dealing with Residence District and revised Section 32-62 dealing with Commercial Districts place no limitations on size or number of flags, banners or pennants for civic, philanthropic, educational or religious organizations;

THEREFORE, BE IT RESOLVED, that CB#2, Man. generally supports the proposed modifications, but strongly suggests that some limitations be placed on the size and number of flags, banners or pennants for civic, philanthropic, educational or religious organizations so as to prevent the inappropriate proliferation of such signs in communities, such as ours, that not only have many such organizations but have some which occupy multiple blocks in our community.

Vote: Unanimous, with 36 Board members in favor.

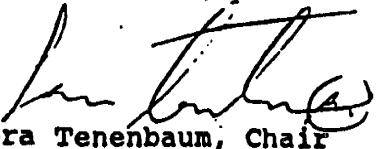
Please advise us of any decision or action taken in response to this resolution.

→ fcm

Joseph Rose, Chair
City Planning Commission
January 16, 1998
Page Two

Sincerely,


Alan Jay Gerson, Chair
Community Board #2, Manhattan


Lora Tenenbaum, Chair
Zoning Committee
Community Board #2, Manhattan

AJG/fa

cc: Hon. Catherine Abate, NYS Senator
Hon. Deborah Glick, NYS Assemblymember
Hon. Thomas Duane, Councilmember
Hon. Kathryn Freed, Councilmember
Hon. Margarita Lopez, Councilmember
Hon. C. Virginia Fields, Man. Borough President
Commissioner Rosemarie O'Keefe, CAU
Noah Pfefferblit, Community Liaison, MPBO
Noah Pfefferblit, Community Liaison, MPBO
John Young Deputy Director, Dept. of City Planning
Vivian Awner, Community Board Liaison, DCP
Doris Diether, Zoning, CB2